



**U.S. Department of Justice**

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District of Vermont*

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July 3, 2003

**PENDING FORFEITURE ACTION**

In March 2002, the United States Attorney's Office in Vermont filed a civil forfeiture complaint in the United States District Court for Vermont seeking forfeiture of about \$2.6 million that, according to the complaint, had been illegally diverted from the Law Centers to Consumer Protection to a number of bank accounts. Most of the money was in several accounts controlled by Carol Capoccia. Carol Capoccia is the wife of Andrew Capoccia, the founder of the Law Centers, and the main defendant in the criminal fraud prosecution now also pending in U.S. District Court in Vermont. Carol Capoccia herself was recently indicted on a charge that she obstructed the civil forfeiture proceeding.

At the same time it sought forfeiture of the \$2.6 million, the U.S. Attorney's Office obtained orders freezing the money in the accounts. In litigation that has gone on for the last year, Carol Capoccia has objected to the seizure of funds and has sought the release of some of the money by arguing that she is entitled to some of the money in order to hire counsel to defend her from the criminal charges. The federal judge presiding over the criminal and forfeiture cases has so far rebuffed Capoccia's attempts to recover any of the funds. An evidentiary hearing on her motion is scheduled for July 8 in U.S. District Court in Brattleboro.

If these funds are eventually forfeited, the United States Attorney's Office would like to use these funds to help satisfy any restitution order against Andrew Capoccia resulting from the pending criminal case.